

## MANHATTAN MERGER NEARING CONSUMMATION

### Conference of Salsberry and Thatcher Results In Understanding Round M't'n Titles Cleared By Supreme Court Decision

Mr. J. C. Robertson, the broker, received the following message yesterday morning: "Following is a wire from Thatcher: 'Supreme court reversed the Round Mountain-Sphinx case. You win.' J. R. DAVIS."

George W. Thatcher, attorney general, represented the Round Mountain Mining company in defending a suit against that company by the Round Mountain-Sphinx and the message is from James R. Davis, president of the Round Mountain Mining company. The decision means the validity of the Los Gazabos claim, which was held void by Judge Theron Stevens, formerly of the Goldfield district court. The reversal is a complete

victory for the Round Mountain company, but its chief importance lies in the fact that it means the dismissal of the present injunction suit by the Sphinx company pending in court at Tonopah, and leaves the Sphinx company without any claim against the Round Mountain company, as Los Gazabos extra lateral sweep embraces all of the area in conflict in the case.

The Davidson case against the Round Mountain company is not affected, as that was fully settled and dismissed about six months ago. This decision leaves the Round Mountain Mining company in the clear on all of its lode claims.

The Round Mountain-Sphinx Mining company sued for something over \$200,000 in the pending suit at Tonopah, but that, under the decision of the supreme court, none of this can be recovered. On the strength of this decision a motion will be made to dissolve the Sphinx injunction suit and suit for damages on its bond will probably be brought later on. The bond was given by the United States Fidelity and Guaranty company.

Manhattan is working out its own salvation with precision, if not with celerity, and the indications now are that at least two of the amalgamations will go through without any further delay than is necessary to establish titles and rights of the different owners to the satisfaction of the leaders of the new merger.

This much was resolved Saturday night at a conference held at the Mizpah hotel between several parties to the companies affected by the fusion movement. The parties interested were M. G. Saunders and R. C. Thatcher of Pueblo, Colo.; Jack Salsberry, A. Thompson and Louis K. Koontz, president of the Manhattan Big Four Mining and Milling company.

### JACK BERRY OF MIZPAH EX. DIES AT PETALUMA VISITING HIS FAMILY

Jack Berry of the Mizpah Extension mine died at Petaluma yesterday of pneumonia and the body will probably be interred there. Mr. Berry was visiting his wife and family, having left here to spend the Christmas holidays in the southern country, where his family had removed last summer. When the deceased left Tonopah December 21 he was the picture of health and as rugged and as healthy as any man could be. The attack must have come suddenly, as none of his friends or associates knew of his sickness.

Berry had worked in Tonopah for the last three years and a half under Manager Lawry of the Mizpah Extension and the Montana, with whom he had been associated in Goldfield. Berry was foreman of the Combination mine during the high-grade days when that property held the richest body of gold ore known in Nevada, and remained there for eighteen months. When J. C. Robertson promoted the Consolidated Red Top lease and entrusted the charge to Mr. Lawry, the latter appointed Jack Berry foreman. Deceased was a member of the Masonic fraternity, affiliated with Tonopah lodge, F. and A. M.

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### ONLY THINK OF WHAT YOU HAD LAST YEAR

Last night the lowest reading of the thermometer was 49 degrees, an almost summer condition, which served to remind householders of the fact that on the same night last year the mercury dropped to 3 degrees below zero and the following night the lowest reading of the winter was 6 below.

### BIG FOUR WILL RATIFY PLAN AT ANNUAL MEETING FEB. 15

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### RIOT AT TACOMA OVER IMPORTED SMELTER LABOR

SHOTS EXCHANGED BETWEEN STRIKERS AND GUARDS WITHOUT INJURY.

TACOMA, Jan. 5.—Stones were thrown and heads broken at the Tacoma smelter strike when a hundred nonunionists, escorted by fifty deputies and the town marshal, on their way to the smelter, were attacked by a mob. Three strikers were arrested. Shots were exchanged last night between strikers and deputies.

### "STAND PAT" ATTITUDE OF THE OPERATORS

OPERATORS FIRM IN DECISION NOT TO RECOGNIZE UNIONS.

CALUMET, Mich., Jan. 5.—The general opinion in union circles is that the time when the governor could settle the strike is long past. While the mine owners never asked yet for the "last word," it is generally conceded that they are not likely to recede from the position to recognize no union workers.

### TOWN OFFICERS NOT ENTITLED TO SALARY OF \$150 PER MONTH

District Attorney Saunders is in receipt of a notice from the supreme court that the case of H. D. Haywood against Nye county, by an opinion rendered on the 3d of January, reversed the decision of Judge French, who ruled that the township officers of Nye county were entitled under the act of 1910 to a salary of \$150 a month and that the board of county commissioners of Nye county exceeded their jurisdiction in fixing the

salaries in their discretion at smaller amounts.

The district attorney appealed from this judgment and the supreme court sustained his contention and reversed the lower court, whereby Nye county is thus saved several thousands of dollars.

Under the former system it was customary for town officers, such as justice of the peace and constable, to expect a monthly stipend of \$150 a month for their services. This applied to Manhattan, Round Mountain and Rhyolite. During the depression of 1910 at Manhattan the county commissioners, on the advice of District Attorney Sanders, reduced the pay of Justice D. Haywood of Manhattan to \$100 a month, and followed this with another cut to \$75 a month. The same compensation applied to the constable. Haywood filed suit and the district attorney, in the face of strong protests from other members of the bar against paying more than what had been allowed in the judgment of the commissioners as a fair and equitable requital for services. Judge French rendered judgment for the plaintiff and the case was carried to the supreme court with the foregoing result. District Attorney Sanders is upheld in all his contentions and the county is saved about \$4000.

### OLD TIME MINER DIES AFTER A SHORT ILLNESS

CONTRACTS COLD, LEADING TO EPILEPSY, AFTER THREE DAYS AT HOSPITAL.

CHICAGO, Jan. 5.—President Moyer learned today that Gompers will call the executive committee of the American Federation of Labor at Washington to consider the Michigan strike. Moyer said pressure had been brought to call a national strike but such action must come from the American Federation. He will confer with Mahoney and other miners' leaders to morrow to consider future action.

WASHINGTON, Jan. 5.—A circular issued by General Wood, under direction of Secretary Garrison, declares the militia must conform to regular army organization standards or lose federal financial support. The greatest problem arising is what to do with the surplus brigadier and major generals of the militia.

### VESSEL SINKS IN GALE OFF SANDY HOOK

REPORTED THAT TWENTY-FOUR OF CREW OF THIRTY LOST.

NEW YORK, Jan. 5.—The steamer Oklahoma was lost yesterday off Sandy Hook. Twenty-four of a crew of thirty are reported lost. Although several steamers were standing by, only one was able to render aid. Officers were all saved. Later a wireless from the liner Caribbean said the crew was saved, but did not give the name of the vessel. Wireless reports are conflicting.

WASHINGTON, Jan. 5.—The wireless reports distress among vessels on the coast during the night. The schooner Thomas Dismore is in distress below Cape Hatteras. Two large barges are adrift.

### COLORADO CONGRESSMAN DEMANDS INVESTIGATION

WASHINGTON, Jan. 5.—Congressman Keating of Colorado has demanded immediate investigation of the report that Harry Ratliff, superintendent of forest reserves at Steamboat Springs, led the mob that took strikers out of jail and deported them.

### SHORT-WEIGHT COAL.

SAN FRANCISCO, Jan. 5.—Evidence of short-weighting Pacific mailers was introduced today at the resumption of the Western Fuel trial.

### TEMPERATURE REPORT.

Highest temperature yesterday, 48 degrees; a year ago, 24. Lowest temperature last night, 40 degrees; a year ago, 3 below zero.

### LADY MAKES GOOD SCORE AT TARGET

NEW CANDIDATE FOR LAURELS SHOOT WITH THE TONOPAH GUN CLUB.

### YOUNGEST MEMBER OF TONOPAH BAR

ADDITION TO THE LAW BUSINESS OF A PROMINENT ATTORNEY.

### COURT CLOSED OUT OF RESPECT TO BOB POHL

FUNERAL OF MRS. POHL HELD THIS AFTERNOON FROM OLD HOME.

### GOLD WATCH GIVEN BY TONOPAH AERIE

J. P. MURPHY PRESENTED WITH A HANDSOME TOKEN OF ESTEEM.

### AFTER HOLIDAY VACATION OF TEN DAYS CLASSES RESUME WITH TWO TEACHERS SHORT

The schools opened this morning with a large attendance, after a vacation of ten days. Several new scholars were added to the enrollment. The high school lacked two of having a full force of instructors. Mrs. Hays was suddenly called away by the unexpected death of her mother. Until her return from Austin Mrs. Hays' classes are being taken care of, as far as possible, by the other high school teachers. Owing to the fact that Mr. Elmer Young, who has been chosen as the new manual training teacher to take the place left vacant by the resignation of Mr. Blair, did not arrive this morning as expected, all the classes in manual training were omitted for the day.

The high school basketball team won from the alumni on Saturday evening by the score of 26 to 21. The teams were evenly matched and both played with excellent team work. The spectators shouted for both sides until they were hoarse. The Senior-Sophomore girls won from the Junior-Freshman girls by the score of 9 to 8. Excitement reigned during the whole game and the evenness of the score indicates how close the contest was. After the basketball games the floor was sprinkled with wax and the rest of the evening was devoted to dancing. Parker & Pife furnished excellent music. Everybody left with the feeling that they had received their money's worth.

### FERRYBOAT AND COASTER COLLIDE AT SAN FRANCISCO

SAN FRANCISCO, Jan. 5.—The ferryboat Berkeley and coaster Umatic collided in a dense fog today. Both were damaged above the water line. Nobody was hurt.

### EARL TREMONT IS DEAD.

Earl W. Tremont, receiver of the federal land office at Carson City, died suddenly Saturday at his home in Carson City.

### SENT UP FOR SIXTY DAYS.

Fred Hurst, who stole a blank check book from the Northern and tried to cash one for \$50, had the charge commuted this morning to a misdemeanor and was sentenced by Justice Dunneath to sixty days in jail.

### DEATH OF FATHER CALLS SON FROM THE BELMONT

T. O. Rundell of the Belmont mine received a wire last night of the death of his father at San Pedro, Cal., and left this morning for the old home at Sonora, where interment will take place Tuesday.

### UNITED STATES HAS NEW BOAT.

PHILADELPHIA, Jan. 3.—The new twin screw torpedo boat destroyer Parker, the largest of its class, and called the "destroyer of destroyers," has been formally turned over to the government by the builders here.